

108TH CONGRESS
1ST SESSION

S. 434

To authorize the Secretary of Agriculture to sell or exchange all or part of certain parcels of National Forest System land in the State of Idaho and use the proceeds derived from the sale or exchange for National Forest System purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 25, 2003

Mr. CRAIG (for himself and Mr. CRAPO) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To authorize the Secretary of Agriculture to sell or exchange all or part of certain parcels of National Forest System land in the State of Idaho and use the proceeds derived from the sale or exchange for National Forest System purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Idaho Panhandle Na-
5 tional Forest Improvement Act of 2003”.

1 **SEC. 2. DEFINITION OF SECRETARY.**

2 In this Act, the term “Secretary” means the Sec-
3 retary of Agriculture.

4 **SEC. 3. SALE OR EXCHANGE OF ADMINISTRATIVE SITES.**

5 (a) IN GENERAL.—The Secretary may, under such
6 terms and conditions as the Secretary may prescribe, sell
7 or exchange any or all right, title and interest of the
8 United States in and to the following National Forest Sys-
9 tem land and improvements:

10 (1) Granite/Reeder Bay, Priest Lake Parcel, T.
11 61 N., R. 4 E., B.M., sec. 17, S $\frac{1}{2}$ NE $\frac{1}{4}$ (80 acres,
12 more or less).

13 (2) North South Ski area, T. 43 N., R. 3 W.,
14 B.M., sec. 13, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$,
15 NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ (50 acres
16 more or less).

17 (3) Shoshone work camp (including easements
18 for utilities), T. 50 N., R. 4 E., B.M., sec. 5, a por-
19 tion of the S $\frac{1}{2}$ SE $\frac{1}{4}$.

20 (b) DESCRIPTIONS.—The Secretary may modify the
21 descriptions in subsection (a) to correct errors or to recon-
22 figure the properties in order to facilitate a conveyance.

23 (c) CONSIDERATION.—Consideration for a sale or ex-
24 change of land under subsection (a)—

25 (1) shall be equal to the market value of the
26 land; and

1 (2) may include cash, improved or unimproved
2 land, or land with improvements constitutes in ac-
3 cordance with specifications of the Secretary.

4 (d) APPLICABLE LAW.—Except as otherwise provided
5 in this Act, any sale or exchange of National Forest Sys-
6 tem land under subsection (a) shall be subject to the laws
7 applicable to the conveyance and acquisition of land for
8 the National Forest System.

9 (e) VALUATION.—The market value of the land and
10 the improvements to be sold, exchanged, or constructed
11 under this Act shall be determined by an appraisal that
12 is acceptable to the Secretary and conforms to the “Uni-
13 form Appraisal Standards for Federal Land Acquisitions”.

14 (f) CASH EQUALIZATION.—Notwithstanding any
15 other provision of law, the Secretary may accept a cash
16 equalization payment in excess of 25 percent of the value
17 of land exchanged under subsection (a).

18 (g) SOLICITATIONS OF OFFERS.—The Secretary may
19 solicit offers for the sale or exchange of land under this
20 section on such terms and conditions as the Secretary may
21 prescribe. The Secretary may reject any offer made under
22 this section if the Secretary determines that the offer is
23 not adequate or not in the public interest.

24 (h) METHODS OF SALE.—The Secretary may sell
25 land under subsection (a) at public or private sale, includ-

1 ing at auction, in accordance with such terms, conditions,
 2 and procedures as the Secretary determines to be in the
 3 best interests of the United States.

4 **SEC. 4. DISPOSITION OF FUNDS.**

5 (a) DEPOSIT OF PROCEEDS.—The Secretary shall de-
 6 posit the proceeds of a sale or exchange under section 3(a)
 7 in the fund established under Public Law 90–171 (16
 8 U.S.C. 484a, commonly known as the “Sisk Act”).

9 (b) USE OF PROCEEDS.—Funds deposited under sub-
 10 section (a) shall be available to the Secretary, without fur-
 11 ther appropriation—

12 (1) for the acquisition of, construction of, or re-
 13 habilitation of existing facilities for, a new ranger
 14 station in the Silver Valley portion of the Panhandle
 15 National Forest; or,

16 (2) to the extent that the amount of funds de-
 17 posited exceeds the amount needed for the purpose
 18 described in paragraph (1), for the acquisition, con-
 19 struction, or rehabilitation of other facilities in the
 20 Panhandle National Forest.

21 (c) LIMITATIONS.—Proceeds from the sale or ex-
 22 change of land under this Act shall not be paid or distrib-
 23 uted to states or counties under any provision of law, or
 24 otherwise considered to be moneys from units of the Na-
 25 tional Forest System for the purposes of—

1 (1) the Act of May 23, 1908 (16 U.S.C. 500);

2 (2) the Act of March 1, 1911 (16 U.S.C. 500,
3 commonly known as the “Weeks Law”); or

4 (3) the Act of March 4, 1913 (16 U.S.C. 501).

5 (d) DEPARTMENTAL REGULATIONS.—The Agri-
6 culture Property Management Regulations shall not apply
7 to any disposition of National Forest System land under
8 this Act or any other action taken under this Act.

9 (e) MANAGEMENT OF LANDS ACQUIRED BY THE
10 UNITED STATES.—Land transferred to or otherwise ac-
11 quired by the Secretary under this Act shall be managed
12 in accordance with the Act of March 1, 1911 (16 U.S.C.
13 480 et seq., commonly known as the “Weeks Law”) and
14 other laws relating to the National Forest System.

15 (f) WITHDRAWAL AND REVOCATIONS.—

16 (1) PUBLIC LAND ORDERS.—As of the date of
17 this Act, any public land order withdrawing land de-
18 scribed in section 3(a) from all forms of appropria-
19 tion under the public land laws is revoked with re-
20 spect to any portion of the land conveyed by the Sec-
21 retary under this section.

22 (2) WITHDRAWAL.—Subject to valid existing
23 rights, all land described in section 3(a) is with-
24 drawn from location, entry, and patent under the
25 mining laws of the United States.

1 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated such sums
3 as are necessary to carry out this Act.

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